

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO. 1672 OF 2021
IN FIRST APPEAL NO. 1416 OF 2013

(Vidarbha Irrigation Development Corporation Vs. Vijay Bapuraoji Kaundannyapure & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Ms. A.S. Athalye, Advocate for the appellant.
Shri S.D. Dharaskar, Advocate for respondent Nos.1,
2, 4, 5, 7 to 10.
Mrs. M.H. Deshmukh, A.G.P. for respondent Nos.11 to
13.

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CORAM : PUSHPA V. GANEDIWALA, J.
SEPTEMBER 01, 2021.

Heard.

2] By way of this application, the applicants/ claimants are seeking suitable order for deleting the name of respondent No.6(a) from the array of respondents, who is reported to have expired on 07/03/2016.

3] It is stated that the names of legal representatives of respondent No.6(a) are already on record, and hence his name is required to be deleted.

4] Considering the nature of prayer made in the application, the same is allowed. The appellant is permitted to delete the name of respondent No.6(a) from the array of respondents.

5] Necessary amendment/s be carried out forthwith.

6] Civil Application stands disposed of.

CIVIL APPLICATION (F) NO. 1673/2021.

7] By way of this application, the respondent Nos.1 to 10/ claimants are seeking permission to withdraw the amount deposited by the appellant.

8] It is stated that the appellant has deposited with the Registry of this Court an amount of Rs.36,84,513/- vide Pursis St. No. 3925/2014 dated 26/03/2014.

9] I have perused the application and the impugned judgment and award, which reflects that the Reference Court has enhanced the compensation @ Rs.20,00,000/- per hectare against the compensation of Rs.69,000/- per hectare as awarded by the Land Acquisition Officer. The difference between the two, at this stage, appears to be exorbitant.

10] It is stated that the other respondents have executed power of attorney in favour of respondent No.10.

11] Given the aforesaid submission, so also considering the reasons mentioned in the application,

the same is allowed. Respondent No.10 is permitted to withdraw Rs.10,00,000/- on his behalf as well as on behalf of the other respondents on furnishing usual undertaking before the Registrar (Judicial).

12] Civil Application stands disposed of.

JUDGE

Sumit